

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA	:	Hon. Kevin McNulty, U.S.D.J.
	:	
v.	:	Crim. No. 21-191
	:	
DAVID KUSHNER	:	

ORDER FOR CONTINUANCE

This matter having come before the Court on the joint application of Philip R. Sellinger, United States Attorney for the District of New Jersey (by Edeli Rivera, Assistant United States Attorney) and defendant David Kushner (by Harlan Protass, Esq.), for an order granting a continuance of the proceedings in the above-captioned matter; and the defendant being aware that he has the right to have this matter brought to trial within 70 days of the date of his appearance before a judicial officer of this court pursuant to 18 U.S.C. § 3161(c)(1); and the defendant having consented to the continuance and waived such right, and the Court having excluded time from May 25, 2022 to August 7, 2022 on the application of the Government; and this being the fifth joint request for a continuance in this matter, and for good cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

(1) Taking into account the exercise of diligence, the facts of this case require that defense counsel and the United States be permitted a reasonable amount of additional time for effective preparation in this matter;

(2) Plea negotiations are anticipated, and both the United States

and the defendant desire additional time to negotiate a plea agreement, which would render any subsequent trial of this matter unnecessary;

(3) The defendant has consented to the above-referenced continuance;

(4) The granting of a continuance will likely conserve judicial resources; and

(5) As a result of the foregoing, pursuant to 18 U.S.C. § 3161(h)(7), the ends of justice served by granting the continuance outweigh the best interest of the public and the defendant in a speedy trial.

IT IS, therefore, on this 12th day of August 2022 ORDERED that:

(1) This action is continued under the Speedy Trial Act from the date this Order is signed through and including October 9, 2022; and

(2) The period from the date this Order is signed through and including October 9, 2022, shall be excludable in computing time under the Speedy Trial Act of 1974.

/s/ Kevin McNulty


THE HONORABLE KEVIN MCNULTY
United States District Judge

Consented and agreed to by:

s/ *Edeli Rivera*

Edeli Rivera

Assistant U.S. Attorney

A handwritten signature in blue ink, appearing to read 'Harlan Protass', is written over a horizontal line.

Harlan Protass, Esq.

Counsel for Defendant

s/ *Francesca Liquori*

Francesca A. Liquori

Chief, OCDETF/Narcotics Unit